



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1996

BY FACSIMILE and
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

E. Mark Braden, Esq.
Baker & Hostetler
1050 Connecticut Ave. N.W., Suite 1100
Washington, D.C. 20036-5304

RE: MUR 3774
American Defense Foundation, Inc.

Dear Mr. Braden:

Our review of your client's response to the Commission's Subpoena to Produce Documents and Order to Provide Written Answers in the above-referenced matter has raised several questions requiring clarification or supplementation. Please review the following items and provide this Office with the information requested no later than February 20, 1996 to ensure compliance with the Commission's Subpoena and Order.

Your response to **Question 1** identifies individuals who have knowledge of the Military Voter Program ("MVP") rather than individuals who have knowledge of the payment of funds to the American Defense Foundation, Inc. ("ADF") from the National Republican Senatorial Committee ("NRSC"). Please state whether each of the individuals identified in your response has knowledge of the payment of funds to ADF from the NRSC and as requested, identify all others who have knowledge of NRSC's payments.

In response to **Question 2c**, you state that Respondent cannot furnish exact dates on which specific oral communications may have occurred. As an initial matter, please note that "communication" encompasses both oral and written contacts. Accordingly, please review your response and supplement it, if appropriate. Moreover, documents produced by your client indicate that meetings took place between at least one ADF employee, Mike McDaniel, and NRSC representatives on February 25, 1992, June 29, 1992, September 1, 1992, October 2, 1992, and May 14, 1993. Please provide all documents related to these and any other meetings, including but not limited to any diary,

calendar, date planner or other similar record maintained by Mr. McDaniel or other ADF or ADI attendees and any correspondence, phone records or fax logs containing or evidencing communications related to such meetings. Also as requested, identify the person(s) who initiated such communication(s).

With regard to your response to **Question 2e**, please clarify whether all four payments were used exclusively to fund the Military Voter Program. If not, state how the remainder of the payments were used and provide all related documents.

In response to **Question 2f** (re: information provided by ADF to NRSC regarding the use of the payments), you state that no records of specific communications could be located. Please provide documents evidencing any general communications such as diaries, calendars or date planners, phone records or fax logs. Moreover, in accordance with the subpoena instructions, please explain what was done to secure this information.

We note that several of the ADI bank statements produced in response to **Question 3** were incomplete. With regard to ADI's Riggs Bank account No. 76-110-679, please produce a copy of ADI's September 9/93 bank statement. With respect to ADI's Riggs Bank Account No. 08-587-096, please produce copies of the following: p. 3 of ADI's 1/92, 2/92, 6/92 and 7/92 statements; pages 2 and 3 of ADI's 3/92 statement (our copy of p. 2 is cut off); pages 2 and 3 of ADI's 12/92 statement; and p. 1 of ADI's 9/93 statement. Additionally, as requested, please produce copies of both the check and corresponding check stub for each check or check stub produced in response to **Questions 3 and 5**.

A copy of the attached letter referencing the 1992 U.S. Senate runoff election in Georgia (Attachment 1) was produced in response to **Question 5**. Please clarify whether this letter was mailed or otherwise distributed by or on behalf of ADI, Inc. in connection with the runoff election. If so, produce all documents related to such distribution or mailing or affirm that none exists.

Documents produced in response to **Question 6** indicate that ADF or ADI obtained copies of certain video and audio tapes of appearances made by Captain McDaniel in connection with the 1992 U.S. Senate runoff election in Georgia. Please produce the videotape (dub) of WMAZ's November 19, 1992 interview with Captain McDaniel and the 11/19/92 tape of the McDaniel interview purchased from WGXA on 11/25/92 (Check No. 4211).

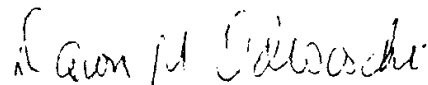
Copies of the 1992 and 1993 Form 990s produced in response to **Question 7** appear to be incomplete. Please produce all Schedules attached to the Form 990s filed by ADF for 1992 and 1993 and ADI for 1992. Also produce any amended Form 990s filed by ADF or ADI for 1992 and 1993.

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Finally, documents produced in response to **Question 10d** indicate that Lisa C. Lindquist and Wes Anderson assisted in various tasks relating to 1992 and 1993 GOTV activity. Please identify them.

The information requested above will aid us in moving this investigation forward. However, please be aware that the Commission reserves the right both to seek clarification or further responses with respect to material submitted by your clients and does not waive any rights to judicially enforce its subpoena. Should you have questions, please contact me or Elizabeth Stein at (202) 219-3400. Thank you for your prompt attention to this matter.

Sincerely,



Dawn M. Odrowski
Attorney

Attachment

Dear Friend,

For those of us who have had the privilege of wearing the uniform of our country, the word "FREEDOM" has a very special meaning.

That's why I want to take a moment now to encourage you to exercise one of your most important freedoms -- your vote in Georgia's U.S. Senate run-off election November 24th.

During the six years time I was a prisoner of war in North Vietnam, I had a lot of time to think. I thought about how policy set in Washington caused needless U.S. casualties. I thought about how the anti-war protesters were encouraging our enemies and prolonging the war.

As I waited for release I began to appreciate just how important voting is to every responsible citizen, in and out of uniform, if we want to maintain our freedom.

I know a lot of military people have the attitude that voting is for civilians -- or that their one vote won't make a difference. As Americans, too often we take freedom for granted. As military people, we should know better!

When we vote we choose between those who will make laws to keep our nation strong and free -- or those who would weaken our nation and eat away at our freedoms. In this run-off election, your vote could mean the difference.

Remember, those who fight -- and sometimes die -- for freedom have a special responsibility to VOTE for freedom. Voting is your duty. Please don't forget to exercise your right to vote in the U.S. Senate run-off election on Tuesday, November 24th, 1992.

Sincerely

Elgene B. McDaniel
Captain, USN(Ret)

ATTACHMENT 1

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